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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/990,109	11/21/2001	Randall A. Boudouris	M112.2-10064	2833

490 7590 08/15/2005

VIDAS, ARRETT & STEINKRAUS, P.A.  
6109 BLUE CIRCLE DRIVE  
SUITE 2000  
MINNETONKA, MN 55343-9185

EXAMINER
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PIAZZA CORCORAN, GLADYS JOSEFINA

ART UNIT	PAPER NUMBER
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1733

DATE MAILED: 08/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Interview Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/990,109	BOUDOURIS ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Gladys JP Corcoran	1733	

All participants (applicant, applicant's representative, PTO personnel):

(1) Gladys JP Corcoran.

(3) Richard Arrett.

(2) Lisa Ryan-Lindquist.

(4) Randall A. Boudouris:

(5) Raymond S. Richards.

Date of Interview: 11 August 2005.

Type: a) ☒ Telephonic b) ☐ Video Conference

c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.

If Yes, brief description: \_\_\_\_\_.

Claim(s) discussed: 1.

Identification of prior art discussed: Texier (US Patent No. 6,881,450; WO 00/01776).

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

  
Examiner's signature, if required

## Summary of Record of Interview Requirements

### Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

### Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

#### Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

#### 37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,  
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

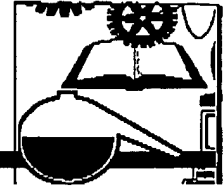
#### Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments:

Applicant telephoned Examiner to discuss proposed claim amendments (faxed copy attached) to try to overcome the Texier reference. Examiner noted that the Texier reference discloses that the amount of filler that is used is the maximum that can be accepted by the binder and then provides an example of 75% (column 3, lines 24-30), consequently it appears that it would have been obvious to one of ordinary skill in the art to put as much filler as possible, including an amount of 80%. However, further search and/or consideration would be required. Applicant further noted that the apparatus used for coating the layer in the reference Texier is not capable of applying a coating with more than 75% magnetic material. Examiner indicated that such arguments if supported by evidence and properly submitted in an RCE with the proposed claim amendments would be considered. Applicant emphasized that no one in the world is currently able to achieve the inventor's process and that Applicants have achieved significant commercial success. Examiner indicated that any secondary considerations would be considered if properly submitted and a showing of a nexus between the claim limitations and the secondary considerations is provided.

VIDAS, ARRETT & STEINKRAUS, P.A.  
Suite 2000, 6109 Blue Circle Drive  
Minnetonka, MN 55343-9185  
952/563-3000 FAX: 952/563-3001



Fax Cover Sheet

TO: Gladys Corcoran FROM: Lisa Ryan-Lindquist  
FAX NO: 1-571-273-1214  
RE: Serial No. 09/990109  
Our File No.  
M112.2-10064-US01  
DATE: August 3, 2005 TIME: 3:36pm

MESSAGE: Ms. Corcoran,

Attached please find a proposed claim amendment as discussed today, August 3, 2005. If you have any questions please feel free to contact me at your earliest convenience.

Sincerely,

Lisa Ryan-Lindquist

Total Pages Sent (including cover sheet):

5

Original Will Follow By Mail

X

Original Will Not Follow By Mail

If you do not receive all pages, please call (952) 563-3000. Our fax number is (952) 563-3001.

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**Amendments to the Claims:**

Please cancel claims 30, 42, 45-60, 72, 77 and 78 without prejudice.

1. (Currently Amended) A process of forming a magnetic assembly having at least one magnetic layer having dimensions of thickness, width and length, and at least one printable substrate layer having dimensions of thickness, width and length, comprising the steps of:
  - a) providing a magnetic hot melt composition at an elevated temperature, said magnetic hot melt composition comprising about ~~75~~ 80 wt-% to about 95 wt-% of at least one magnetic material and about 5 wt-% to about ~~25~~ 20 wt-% of at least one thermoplastic polymer; and
  - b) directly applying said magnetic hot melt composition at an elevated temperature when it is pliable to a printable substrate layer, the printable substrate layer formed of paper, paper products or paste board.
2. (Original) The process of Claim 1 wherein said applying step b) affixes said magnetic layer to said printable substrate layer in dimensions of thickness and width in final form.
3. (Original) The process of Claim 1 wherein said applying step b) affixes said magnetic layer to said printable substrate layer in dimensions of thickness, width and length in final form.
4. (Original) The process of claim 1 further comprising subjecting said magnetic assembly to a strong magnetic field sufficient to result in a permanent magnetic effect in the assembly.
5. (Original) The process of Claim 4 wherein the magnetic composition is at an elevated temperature while subjecting said magnetic assembly to said magnetic field.
6. (Previously Presented) The process of Claim 4 wherein said magnetic composition is at ambient temperature.
7. (Original) The process of Claim 4 wherein said magnetizing step is accomplished after said applying step during said forming process.
8. (Original) The process of Claim 1 further comprising the step of printing said printable substrate.
9. (Previously Presented) The process of Claim 1 wherein said magnetic assembly is

formed into a roll.

10. (Original) The process of Claim 1 wherein said magnetic assembly is formed in sheet form.

11. (Original) A process for forming a pad article comprising forming a plurality of magnetic sheet assemblies by the process of Claim 1 and layering the sheet assemblies together to form a stacked pad.

12. (Original) The process of Claim 11 wherein said plurality are bound together with an adhesive or shrink wrapped.

13. (Original) The process of Claim 1 wherein said temperature of application is from about 135 °C to about 190 °C.

14. (Original) The process of Claim 1 wherein said forming step includes a step selected from roll coating, gravure coating, screen printing and slot-die coating.

15. (Original) The process of Claim 1 wherein said forming step includes extruding.

16. (Original) The process of Claim 1 wherein said magnetic material has the following general formula:



wherein M represents a divalent metal.

17. (Original) The process of Claim 16 wherein said divalent metal is barium, strontium, lead or mixture thereof.

18. (Canceled)

19. (Original) The process of Claim 1 wherein the thermoplastic binder comprises at least one polyalphaolefin.

20. (Original) The process of Claim 19 wherein said at least one polyalphaolefin is an amorphous polypropylene or an interpolymer of ethylene and at least one alphaolefin.

21. (Original) The process of Claim 1 wherein said magnetic material has a particle size of about 40 microns or less.

22. (Previously Presented) The process of Claim 1 wherein said at least one magnetic layer has a thickness of about 50 μm to about 765 μm.

23. (Previously Presented) The process of Claim 1 wherein said at least one magnetic layer has a thickness of about 50 μm to about 510 μm.

24. (Previously Presented) The process of Claim 1 wherein said at least one magnetic

layer has a thickness of about 50  $\mu\text{m}$  to about 305  $\mu\text{m}$ .

25. (Original) The process of Claim 1 wherein said magnetic composition is applied to said printable substrate in the form of at least one ribbon.

26. (Original) The process of Claim 25 further comprising the step of pressing said at least one ribbon to said printable substrate.

27. (Original) The process of Claim 25 wherein said at least one ribbon is pressed to said substrate with a chill roll.

28. (Original) The process of Claim 25 wherein said at least one ribbon has substantially the same length and width as said printable substrate.

29. (Original) The process of Claim 26 wherein said at least one ribbon is discontinuous with said printable substrate.

30. (Canceled)

31. (Original) The process of Claim 1 wherein said printable layer is further treated with a varnish, lacquer, film or mixture thereof.

32. (Original) The process of Claim 1 wherein said magnetic layer is further joined to a release liner.

33. (Original) The process of Claim 32 wherein said release liner is adhered to an article through the use of an adhesive.

34. (Original) The process of Claim 33 wherein said article is a magazine, book, food package, beverage container, envelope or box.

35. (Original) The process of Claim 32 further comprising the step of removing said magnetic assembly from said release liner.

36. (Original) The process of Claim 32 wherein said magnetic assembly further has an overlamine over said printable substrate layer.

37. (Original) The process of Claim 32 wherein said overlamine is perforated in substantially the same dimensions as said magnetic assembly.

38. (Original) The process of Claim 1 wherein said magnetic substrate is a reminder, business card, greeting card, postcard, label, advertisement, coupon, calendar, schedule, recipe or promotional card.

39. (Original) The process of Claim 1 wherein said magnetic layer is continuous with said printable layer.



40. (Original) The process of Claim 1 wherein said magnetic layer is applied to said printable layer in a discontinuous pattern.

41. (Original) The process of Claim 1 wherein said magnetic layer and said printable layer are of equivalent length and width.

42-74. (Canceled)

75. (Currently Amended) The [[A]] process of claim 1 further comprising the steps of: forming a pad article comprising a plurality of magnetic sheet assemblies having at least one magnetic layer having dimensions of thickness, width and length, and at least one printable substrate layer having dimensions of thickness, width and length, comprising the steps of:

- a) ~~providing a hot melt magnetic composition comprising about 70 wt % to about 95 wt % of at least one magnetic material and about 5 wt % to about 30 wt % of at least one thermoplastic polymer;~~
- b) ~~directly applying said magnetic layer at an elevated temperature when it is pliable to a printable substrate layer to form a magnetic assembly;~~
- c) forming said magnetic assembly of [[b]] claim 1 into a plurality of magnetic sheet assemblies; and
- d) layering the sheet assemblies together to form a stacked pad; and
- e) binding said sheet assemblies together at one end.

76-78. (Canceled)

79. (Previously Presented) The method of claim 1 wherein said magnetic hot melt composition is directly applied to said printable substrate layer at a rate of greater than 80 to about 500 feet/minute.

80. (Previously Presented) The method of claim 1 wherein said magnetic hot melt composition is directly applied to said printable substrate layer at a rate of about 250 feet/minute to about 500 feet/minute.

81. (New) The method of claim 1 wherein said magnetic hot melt composition comprises about 85 wt-% to about 95 wt-% of at least one magnetic material and about 5 wt-% to about 15 wt-% of at least one thermoplastic polymer.